

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION AND CULTURAL RESOURCES**

**Call to Order:** By **CHAIRMAN DON RYAN**, on February 23, 2007 at 3:58 P.M., in Room 303 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Bob Hawks (D)  
Sen. Carol C. Juneau (D)  
Sen. Sam Kitzenberg (D)  
Sen. Dan McGee (R)  
Sen. Bob Story Jr. (R)

##### **Members Excused:**

Sen. Don Ryan, Chairman (D)

##### **Members Absent:**

Sen. Jerry W. Black (R)  
Sen. Jim Elliott (D)  
Sen. Jim Peterson (R)

**Staff Present:** Casey Barrs, Legislative Branch  
Marigail Schreiner, Committee Secretary

**Audio Committees:** These minutes are in outline form only.

They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 506, SB 508, SB 528, SJ 16  
2/16/2007, SJ 25 2/23/07

Executive Action: SB 508, SB 506, SJ 16, SJ 25,  
SB 528

00:00:00 Opening comments by Vice-Chairman Kitzenberg

**HEARING ON SB 508**

**Opening Statement by Sponsor:**

00:01:02 **SEN. BOB HAWKS (D), SD 33**, opened the hearing on **SB 508**, Allow public school consideration in impact fees.

**Proponents' Testimony:**

00:06:11 Lance Melton, Montana School Boards Association

**EXHIBIT(eds41b01)**

00:08:46 Gary Griffith, Gallatin Valley

00:11:19 John McGee, Florence Carlton School District, Ravalli County

**EXHIBIT(eds41b02)**

00:11:54 Gordon Morris, Lewis and Clark County Commissioners

00:13:24 Linda Stoll, Montana Association of Planners

00:13:54 Joe Lamson, on behalf of State Superintendent Linda McCulloch

00:14:18 Eric Feaver, MEA/MFT

00:14:30 Steve Hall, Florence

00:14:43 Sen. Peterson arrived

**Opponents' Testimony:**

00:16:06 Michael Kakuk, Montana Association of Realtors

00:18:19 Dustin Stewart, Montana Building Industry Association

00:21:04 Joe Roberts, Registered Land Surveyors

**Informational Testimony:**

00:22:25 None

**Questions from Committee Members and Responses:**

00:22:35 None

**Closing by Sponsor:**

00:22:40 Sen. Hawks

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**HEARING ON SB 528**

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**Opening Statement by Sponsor:**

00:27:03 **SEN. DAVID WANZENRIED (D), SD 49**, opened the hearing on **SB 528**, Create education trust fund.

**Proponents' Testimony:**

00:28:56 Eric Feaver, MEA/MFT

00:31:43 Madalyn Quinlan, Chief of Staff, Office of Public Instruction

00:33:09 Lance Melton, Montana School Boards Association

00:33:31 Bruce Messinger, Superintendent, Helena Public Schools

**Opponents' Testimony:**

00:34:12 None

**Informational Testimony:**

00:34:17 None

**Questions from Committee Members and Responses:**

00:34:24 Sen. Story to Sen. Wanzenried

00:36:12 Madalyn Quinlan

00:36:47 Sen. Story to Madalyn Quinlan

00:42:28 Sen. Hawks to Madalyn Quinlan

00:43:41 Sen. Hawks to Sen. Wanzenried

**Closing by Sponsor:**

00:45:18 Sen. Wanzenried

**HEARING ON SB 506**

**Opening Statement by Sponsor:**

00:46:25 SEN. BOB STORY (R), SD 30, opened the hearing on SB 506, Revise school laws.

**EXHIBIT**(eds41b03)

**Proponents' Testimony:**

00:50:08 Debra Silk, Montana School Boards Association

**Opponents' Testimony:**

00:56:21 None

**Informational Testimony:**

00:56:25 None

**Questions from Committee Members and Responses:**

00:56:29 None

**Closing by Sponsor:**

00:56:34 Sen. Story

00:57:16 Sen. Black arrived

**EXECUTIVE ACTION ON SB 508**

00:58:35 **Motion:** SEN. HAWKS moved that SB 508 DO PASS.

**Discussion:**

00:59:02 Sen. Hawks

01:00:41 Lance Melton, Montana School Boards Association

01:01:31 Suspend executive action

**HEARING ON SJ 16**

**Opening Statement by Sponsor:**

01:01:56 **SEN. GREG LIND (D), SD 50**, opened the hearing on **SJ 16**, Resolution for gun safety education for grades 1 through 3.

**Proponents' Testimony:**

01:02:50 Gary Marbut, Montana Shooting Sports Association

[EXHIBIT \(eds41b04\)](#)

[EXHIBIT \(eds41b05\)](#)

01:06:36 Doug Nulle, Retired Attorney, Clancy

01:07:54 Joe Lamson, on Behalf of State Superintendent Linda McCulloch

01:08:49 Lance Melton, Montana School Boards Association

**Opponents' Testimony:**

01:09:01 None

**Informational Testimony:**

01:09:06 None

**Questions from Committee Members and Responses:**

01:09:11 Sen. McGee to Joe Lamson

01:09:46 Sen. McGee to Sen. Lind

01:10:46 Sen. McGee to Joe Lamson

**Closing by Sponsor:**

01:11:13 Sen. Lind

**Opening Statement by Sponsor:**

01:11:53 **SEN. JIM PETERSON (R) , SD 15**, opened the hearing on **SJ 25**, Express sympathy and gratitude for soldiers who died in Iraq.

**EXHIBIT**(eds41b06)

**Proponents' Testimony:**

01:14:37 Colonel Jim Jacobson, Retired

**Opponents' Testimony:**

01:14:04 None

**Informational Testimony:**

01:15:31 None

**Questions from Committee Members and Responses:**

01:15:35 Sen. McGee to Colonel Jacobson

01:16:57 Sen. McGee to Sen. Peterson

**Closing by Sponsor:**

01:17:09 Sen. Peterson

**CONTINUATION OF EXECUTIVE ACTION ON SB 508**

**Discussion:**

01:18:15 Sen. Hawks

01:22:09 Vice-Chairman Kitzenberg

01:22:19 Sen. McGee

01:24:15 Sen. Hawks

01:24:56 Sen. McGee to Sen. Hawks

01:25:40 Sen. Story to Lance Melton

01:29:16 Sen. Juneau to Sen. Hawks

01:30:42 Sen. Story

01:31:41 Sen. Hawks

01:32:12 **Motion/Vote:** SEN. HAWKS CALLED THE QUESTION ON SB 508.  
**Motion carried unanimously by voice vote.**

**EXECUTIVE ACTION ON SB 506**

01:34:03 **Motion:** SEN. STORY moved that SB 506 DO PASS.

01:34:05 **Motion:** SEN. STORY moved that SB 506 BE AMENDED.

**Discussion:**

01:35:41 Sen. McGee to Sen. Story

01:36:37 Sen. Story

01:37:25 **Vote:** Motion carried unanimously by voice vote.

01:37:40 **Motion/Vote:** SEN. STORY moved that SB 506 DO PASS AS  
AMENDED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SJ 16**

01:38:14 **Motion/Vote:** SEN. PETERSON moved that SJ 16 DO PASS.  
Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SJ 25**

01:38:43 **Motion:** SEN. PETERSON moved that SJ 25 DO PASS.

01:38:53 **Motion:** SEN. PETERSON moved that SJ 25 BE AMENDED.

01:39:20 **Motion:** SEN. PETERSON moved that the amendment to SJ  
25 BE CONCEPTUALLY AMENDED.

**Discussion:**

01:39:36 Sen. McGee

01:40:35 **Vote:** Motion carried unanimously by voice vote.

01:40:48 **Motion:** SEN. PETERSON moved that SJ 25 DO PASS AS  
AMENDED.

**Discussion:**

01:40:59 Sen. Juneau

01:41:57 **Motion:** SEN. JUNEAU moved that SJ 25 BE CONCEPTUALLY AMENDED.

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**Discussion:**

01:42:23 Sen. Peterson

01:42:32 Sen. Kitzenberg

01:42:40 **Vote:** Motion carried unanimously by voice vote.

01:43:10 **Motion:** SEN. PETERSON moved that SJ 25 DO PASS AS AMENDED.

**Discussion:**

01:43:20 Sen. McGee

01:43:41 Sen. Peterson

01:44:05 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 528**

01:44:49 **Motion:** SEN. HAWKS moved that SB 528 DO PASS.

**Discussion:**

01:45:40 Sen. Story

01:48:27 Vice-Chairman Peterson to Sen. Wanzienried

01:49:20 Sen. Juneau

01:49:55 Sen. Story

01:51:21 **Motion:** SEN. MCGEE CALLED THE QUESTION ON SB 528.

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**Vote:** Motion failed 4-4 by roll call vote. Vote was held open for Sen. Ryan's vote

01:54:16 Committee discussion



**ADJOURNMENT**

Adjournment: 5:56 P.M.

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SEN. DON RYAN, Chairman

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MARIGAIL SCHREINER, Secretary

DR/ms

Additional Exhibits:

**EXHIBIT ([eds41bad.pdf](#))**